FOR MYSORE STATE

Home (1953) Department.

MB SERIES.

G.O. NO. 120

Dated 12-1-1953

[Despatch Abstract.]

Ref.C3. 8666/52 (1)

S.K.Dt.Magistrate's Office
Mangalore dated 6.12.52

From

Sri C.A.Ramakrishnan I.C.S.,
Dt.Magistrate, South Kanara.

To

The Secretary to Government, Home Department,
Fort St.George,
Madras 9.

Sir,

LOTTERIES: Running of a lottery office without permission of the state Government - offences under section 294 I.P.C., (A sanction to prosecute Sri M.Vasudeva Bhat requested.

I enclose a copy of letter R.C.No.20208/C 52 dated 19.11.1952 received from the District Superintendent of Police, South Kanara. As the purpose of the lottery was purely to increase the Hotel Keeper's business, I consider that a prosecution in this case is necessary. I request that the Government may be pleased to accord sanction to prosecute Sri M.Vasudeva Bhat, Prop. Royal Cafe, Puttur under section 294 A. I.P.C.

Yours faithfully,

For District Magistrate.

Encl. 1. 230493

Copy of Rc.No.20208/C/52 dated 19.11.1952 from the
District Superintendent of Police, South Kanara,
To the District Magistrate, South Kanara, Mangalore.

****

Sub: I.P.C. - Section 294 I.P.C. - running Lottery Office without the authorization of the State Government - Prosecution sanction orders requested.

****

Sri M. Vasudeva Bhat, the proprietor of Royal Cafe, Puttu South Kanara had widely published in the Kannada Daily known as 'Nava Bharata' and in printed hand-bills that a sum of Rs.1000/- would be paid to customers who take refreshments, food, coffee, tea etc., from his hotels and who draw lucky tickets. He had announced that the first winner of the lucky ticket would get Rs.500/- the second winner Rs.250/- the third Rs.125/- and Rs.25/- each to the winners of the last five prizes. The paper cutting of the advertisement published in the newspaper and a copy of handbill are enclosed herewith for your reference.

pps 6 wp

(2) The proprietor has three such hotels at Puttur known as Royal Cafe, Puttur New Royal Cafe near Aruna Theatre, Puttur and New Royal Cafe, Market Road, Puttur and in all these three hotels each customer was issued with a numbered ticket along with the bill. It had als been announced that only customers who take refereshments of and above two annas are eligible for a ticket. The tickets were issued for the period of a month commencing from 20th September 1952 to 19th October 1958. The date of drawing the lottery was fixed on the day after Deepavali i.e 20th October 1952. This advertisement had filled the coffers of the Hotel Proprietor by attracting people from all sides who used to take refreshments just because of getting a lottery ticket. The lottery was drawn as scheduled.

(3) The action of the proprietor Sri M.Vasudeva Bhat, in running a lottery which is not a state lottery or a lottery authorized by the state, is an offence punishable under section 294 A. I.P.C. (paras 1 and 2).

(4) The A.P.P.I. who was consulted in the matter is of the opinion that the offence is a non-cognizable one and requires the previous sanction of the state Government under section 196 Cr.P.C. for prosecution being launched against the proprietor (copy of his report dated 30.9.1952 is enclosed)

(6) I, therefore, request you kindly to move the state Government to accord sanction to prosecute Sri M.Vasudeva Bhat the proprietor of the three hotels referred to in para 3 of this letter under section 196 Cr.P.C.

(6) I also request in the meawhile, to authorise puttur Police to register a case and investigate if deemed fit.

(True copy)-

for Dt. Magistrate
for Collector

7

18/15/12 Journal

Home deptt

Memo No. 230493 Ets IV/52-1 dt 15/12/52

Cr.P.C - Section 196 - Offence under section 294-A I.P.C - Prosecution of M. Vasudeva Bhat

Ref:- from the W.T.M. South Kanara C3 8666/52 (1) dt 6.12.52

Dly

The W.T.M. South Kanara is requested to furnish very urgently the father's name and the full address of the accused. He is also requested to forward to Court a copy of the opinion of the A.P.P. in the matter

14:12:1952

details are required for incorporation in the charge sheet/notification. Dpd 17.12

To X as per 52

The W.T.M. South Kanara

CD 2-1-53

13/12/52 13.12.52

Ref.C3.8666/52(3)

S.Kanara Dt.Magistrate's Office,
Mangalore dated 2---1---1953.

From
Sri C.A.Ramakrishnan, I.C.S.,
Dt.Magistrate of S. Kanara.

To
The Secretary to Government,
Home Department, Fort St.George,
M A D R A S - 9.

1929
5-1-53

Sir

CRIMINAL PROCEDURE CODE - Sec. 196 offence under Sec.294A - Indian Penal code - Prosecution of M.Vasudeva Bhat - Particulars furnished.

--:o:--

Ref: Government Memo.No.230493 Courts/IV-52-1 dated 15-12-52.

--:o:--

The particulars called for in the Government Memorandum are furnished below.

Sri M.Vasudeva Bhat, S/O Sri Srinivas Bhat Proprietor "Royal Cafe" Puttur South Kanara.

2. OPINION OF ASSISTANT PUBLIC PROSECUTOR I DATED 30-9-52.

"The Pamphlet "Prima facie" comes within the mischief of the 2nd part of section 294A, I.P.C. The offence is non-cognizable and requires previous sanction of the Government under Section 196 Cr.P.C.for a prosecution being launched."

Yours faithfully

For Dt.Magistrate.

sr/2-1

Home deptt.

G.O.Ms.No. 120 Dated. 12.1.53.

77-28/(2)1

Criminal Procedure Code - Section 196 - Offence under section 294-A I.P.C. - Prosecution of M. Vasudeva Bhat, Puttur, South Kanara Dt. - Sanctioned

Read:

from the District Magistrate South Kanara C.3. 8666/52 (1) of 6.12.52 and 2.1.53.

Order

Whereas information has been received that M. Vasudeva Bhat, son of Srinivasa Bhat, Proprietor, Royal Cafe, Puttur South Kanara ~~dt.~~ district was keeping an office or place for the purpose of drawing a lottery, not being a lottery organised or authorized as specified in section 294-A of the Indian Penal Code (Central Act XLV of 1860), and that he published proposals relating to the said lottery in circumstances constituting the acts of the said M. Vasudeva Bhat, offences punishable inter alia under the said section 294-A;

Now, therefore, in exercise of the powers conferred by section 196 of the Code of Criminal Procedure, 1898 (Central Act V of 1898), the Governor of Madras hereby orders that a complaint be made against the said M. Vasudeva Bhat in respect of the offences aforesaid.

7.1.1953.

To the D.M., South Kanara. 6.1.53.
(with a spare copy)
To the I.G. of Police, Madras (2 copies)
To the P.P., ~~South~~ Mangalore, South Kanara
(FCs to be prepared for J.S's sig)

Memo No. 230493/45 IV/52-3 dt 12/1/53.

Cr.P.C. Section 196 - Prosecution of M. Vasudeva Bhat for an offence under section 294-A I.P.C.

Ref:- G.O.Ms.No. 1x2 Dt. Home, dt 12.1.53

The D.M., South Kanara is referred to the G.O. cited and he is requested to depute a suitable officer to prefer a complaint under section 294-A I.P.C. against the said M. Vasudeva Bhat

SE 6.1.53.

Ag 6.1.53

M 7.1.1953

Dy dcwo, dt 15-1-53

To the D.M., South Kanara (with pp 5-6 in orgl)

(Fcs to be prepared by R.P. for J.S's sig)

Note :- The drafts in pp1-2 above are for approval May be sent to Legal (Scrutiny) for scrutiny before issue.

SE 6.1.53.

Ag 6.1.53.

M 7.1.1953

J.S 7-1-53.

Legal (Scrutiny) Home dcwo. 230493/45 IV/52-2 7-1-53.

Legal Dept

The draft is in order

Ag 9-1-53

M 9.1.53

ASSISTANT SECRETARY 756 8-JAN 1953 LEGAL DEPARTMENT

Legal wo. 756/53-1 10.1.53.

Home deptt

The drafts on pp 1-2 ante may issue

10/1/53

10-1-53.

11/s

10.1.53.